

ORIGINAL

8/25/13

Clerk of the Court

Jesse McGraw

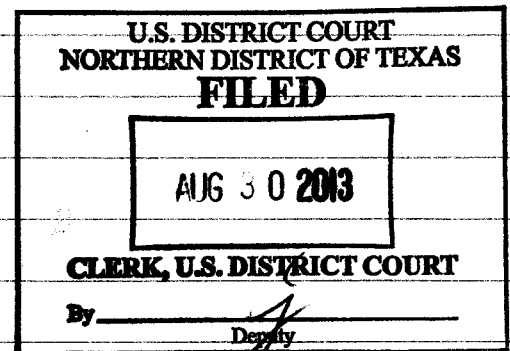
#38690-177

FCC Complex (Law)

P.O. Box 26020

Beaumont, TX 77720

Case No. 3:09-CR-210-B



Please forward the enclosed "Exhibit 1" [and file under my Case No.] to
the Honorable District Judge Jane Boyle.

Also, under Jesse McGraw v. United States of America in a Civil action
that I withdrew, the Magistrate presiding ordered for the Clerk to refund
\$41.00 which the PLRA had withdrawn from me. Please see if you can
process that order. I feel as if it has been forgotten about.

Thanks alot,

Jesse McGraw

What seems to have transpired is that an individual (McGraw) working as a security guard in a medical office building installed some botnets on various computers there. Not cool, not smart, especially when he posted a YouTube video that showed him supposedly doing this. But more than nine years in prison for this kind of a thing seems like overkill, to put it mildly. Naturally, the media and prosecution made it sound a lot more interesting - that a hospital was at risk and that people could die. That seems a bit farfetched, even if this software caused every computer it was installed on to self-destruct. Was this the intent? Was the hospital supposed to be the target of the botnet attack or the source of one? Based on what we've seen, it was the latter as one group of people was out to attack another group. All very stupid, but not the same thing as taking down a hospital. It could be said that installing Windows on these machines made them far more susceptible to crashes than installing a botnet. It could also be said that leaving machines running in an office where cleaning staff and security could wander by and gain access without even entering a password doesn't indicate that the machines were of a particularly sensitive nature. And if they were, then there should be some serious head rolling. It should also be pointed out that this wasn't a hospital of the traditional sort but an outpatient clinic specializing in sports medicine and orthopaedics. So there are a number of facts that can seem very different, depending upon how they're presented.

court record and accepted by a judge as factual and admissible. Now, I know that speaking out is likely going to put my own freedom in danger, as it will not serve the powers that be to allow me to maintain any level of credibility, which is why I am sending this letter to 2600, so that a more accurate and truthful record of these events, or at least my voice, can be recorded and heard by any and all parties who may be interested.

on a website, printed paper, or orated. My domain was unceremoniously stripped from me by GoDaddy, with no warning, no explanation, nor were my inquiries into this matter responded to by them. I was not even given a refund. I would recommend anyone considering purchasing a domain from GoDaddy to consider alternative registrars if you value your rights as a consumer. I suspect the FBI made a phone call, or something along those lines, and had it dropped.

Stephanie
Also, quite a common sentiment among students, not to mention nine-to-five employees, government workers, executives, intelligence analysts, etc. Anywhere that you can find drudgery, a copy of our magazine will definitely brighten the mood and anger the people in charge.

I left the ETA in early 2009. I only came back to the group after Ghost's arrest. To my knowledge, no other member of ETA during my tenure has had any involvement with the incidents at the Carrell Clinic. As of 2010, the ETA no longer exists as a group and has been completely disbanded. However, the website will remain. www.electronictribulationarmy.com is a placeholder to remind us of Ghost Exodus. On behalf of my brothers who have been rostered with the ETA group over the years, I would like to issue an apology to the Carrell Clinic, the security firm who employed Jesse McGraw, aka Ghost Exodus, and any client who may or could have been affected by our former associate's actions. To my best knowledge, we as a group did not and do not condone this type of activity. Hospitals and medical facilities are not, and should never be a valid target of any type for any person or persons, and it certainly is not for me or anyone that I operate with.

You must understand that McGraw's actions have shamed us as a group and cast a negative shadow over the lives of everyone involved, something that we find difficult to cope with. He could have potentially had life threatening implications for the staff and patrons, and had consequences far beyond any hypothetical scenarios I can imagine. We did not authorize, participate in, or condone his activities in any way. And we are sorry for this incident. I wish it could have been prevented and I know that by educating others about this type of incident, it can potentially be detected and prevented - not just from the perspective of law enforcement and security professionals, but perhaps by advisement directly from peers of such potential actors.

Benjamin Fix Nichols
We certainly aren't seeing anything here that hasn't happened a whole lot of times before. In the end, though, nobody is really going to care about the personalities at play or what rivalries existed between people or between groups. None of that actually matters and so much time is wasted on it that the real issues often are ignored. For one side, this could be a grievous misstep. For another, a possible tactic. What better way to achieve your goal than to be able to portray the accused as a bunch of people with vendettas and scores to settle? They will use anything that keeps the public from asking the question "what actually happened?" If this is the case of any significance, that should be the first thing anyone talks about when referring to it.

Justice has been robbed from this case by a prosecutor's personal agenda, poor judgment, and outright lies to achieve a legal "slam dunk." Sentencing should be handed down within reason, based on facts and prudence. In this case, the judge used the defendant as a soap box to "send a message" to others in a manner that is indicating a personal bias against other known or unknown parties. The judge's own remarks admit that, in essence, she "enhanced" the sentence that was handed to McGraw due to the perceived actions of others, adding several years onto his time that he now has to serve. I do not believe somebody else should be punished because I choose to exercise my constitutionally protected right to expression, particularly when that person insisted that I refrain from doing so. In other words, a blatant and gross injustice has occurred. I believe that prosecutor C.S. Heath should be investigated fully in this matter and removed of license to practice law, as well as prosecuted for perjury and entering false evidence into a federal trial. The judge in this case is also equally complacent or incompetent for neglecting to check these facts that I call into question. All parties involved in this mockery of justice should be ashamed of themselves. I believe that all involved parties should be held accountable for what they have done here and penalized accordingly under any and all applicable state and federal laws. At the very least, if none of the above is pursued, an appeal should certainly be accepted based on these facts and, I certainly hope, a retrial arranged.

I am frequently made sport of by my more computer savvy fellow inmates (who refer to things like VDTs and 3.5 inch floppy disks), but I have been given to believe that no data ever completely vanishes from the Internet. I am hoping some computer genius out there can legally access some obscure database in which these records may still be retained. I had both Visa and Mastercard for the time

Jesse McGraw's conduct was, in my opinion, undoubtedly a crime. But, like every other American citizen, he deserves a fair trial and sentence that is proportionate to the crimes that he is being charged with, neither of which was the outcome in this case. After reviewing the known facts, the court's documents, and the facts I know to be false - as well as the facts I know to be true - it is, to say the least, an appalling and offensive mockery of justice to see false testimony and false evidence given, as well as outright lies and conjecture entered into the

Contra to what the FBI and the courts have accepted as fact, I was not instructed by Jesse McGraw to put that website up, nor was I ever instructed to harass anyone. And if exercising my own protected freedoms is somehow "intimidating" to somebody, I would suggest that they learn how to cope with social issues and perhaps learn how to not be so easily intimidated.

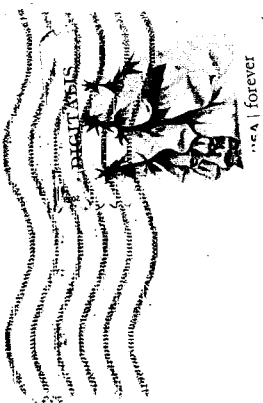
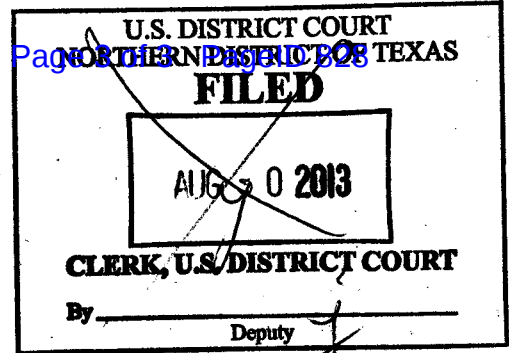
Contra to the court record, the only instructions I reviewed from McGraw during this period was to "leave McGraw alone because it could hurt my case." Furthermore, I put up a website (www.wesleymcgraw.com) on my own accord, as a direct response to my own interactions with McGraw (he went out of his way to communicate with me sometimes on a daily basis during this period). Many of these interactions had little or nothing to do with McGraw.

Spring 2012

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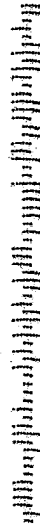
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NORTH HOUSTON TX 77060

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Clerk Of The Court
1100 Commerce ST
Room 1452
Dallas, TX 75242
United States



75242131052

Jesse McGraw
#38690-177
FCC Complex (Low)
P.O. Box 26020
Beaumont, TX
77720

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